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VIA ELECTRONIC TRANSMISSION

Tyler Erdman

March 25, 2024

**Re: Update on progress of discovery
Tyler Erdman v. Adam Victor, et al., No. 20 Civ. 4162**

Dear Tyler,

This letter is written in accordance with the Order of the Court dated March 21, 2024, in which we have been instructed to provide answers to certain questions posed in your letter from Docket #236 and others posed by the Court.

When we learned Victor was continuing to work with SSD

Mr. Victor retained Schlam Stone in February 2023. Their representation ended in April 2023.

What our basis was for telling Plaintiff that we had received documents from SSD

We did not receive documents but rather were referring to electronically stored information ("ESI") which we erroneously believed to have come from Schlam Stone but instead was provided by Setec.

What documents and repositories that we believe are in the possession of SSD

PLEASE RESPOND TO BROOKLYN OFFICE

It is unknown if they have any documents. It is believed all information in the possession of Scham Stone was ESI which was contained in drives that were in the possession of Setec, or previously given to TransPerfect prior to our representation of Defendant.

What we had received from Setec and forwarded to TransPerfect

This information is contained in the letter transmitted to you earlier. I am enclosing another copy today. The “devices” were three hard drives.

How we believe our production was sufficient if SSD is the only one privy to details of it.

It is believed all information in the possession of SSD was ESI which was contained in hard drives held by Setec, or previously given to TransPerfect prior to our representation of Defendant. This is apart from the documentation supplied to the Plaintiff as a result of searches undertaken by Defendant during the production of the email accounts.

The efforts made to communicate with Scham Stone regarding documents still within SSD's possession and not currently available to Defendant.

Enclosed please find the email exchange between all of us and Jeffrey Eilender after you had emailed him in August 2022. This office reached out to Mr. Eilender just before this email via telephone. He conveyed the same to us during the call.

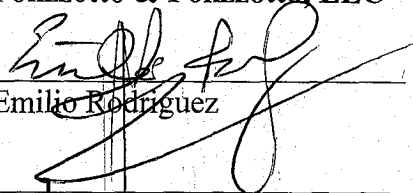
Any information we have as to whether there are any responsive documents provided by defendant Victor to SSD that are still within SSD's possession and unavailable to defendant's counsel.

The only information we have as to any responsive documents has been provided above. The odds are remote however of any potentially responsive documents falling within the relevant time period of the case (June 1, 2019 and onward) considering the time period during which SSD represented and eventually terminated their relationship with defendant Victor.

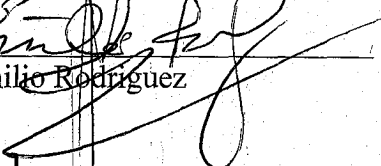
Do not hesitate to contact us with any questions or comments.

Yours faithfully

Polizzotto & Polizzotto, LLC

A handwritten signature in black ink, appearing to read "Emilio Rodriguez", is written over a horizontal line.

Emilio Rodriguez

A large, stylized handwritten signature in black ink is written over a horizontal line.

Alfred Polizzotto III